

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-17-0018
RULES 41, 48.1 and 49,)
RULES OF PROCEDURE FOR THE)
JUVENILE COURT)
) **FILED 08/31/2017**
)
)
_____)

ORDER

AMENDING RULES 41, 48.1 AND 49, RULES OF PROCEDURE FOR THE JUVENILE COURT

A petition having been filed proposing to amend Rules 41, 48.1 and 49, Rules of Procedure for the Juvenile Court, and no comments having been received, upon consideration,

IT IS ORDERED that Rules 41, 48.1 and 49, Rules of Procedure for the Juvenile Court, be amended in accordance with the attachment hereto, effective as of the date of signing.

DATED this 31st day of August, 2017.

_____/s/
SCOTT BALES
Chief Justice

TO:

Rule 28 Distribution

David K Byers

ATTACHMENT*

(* additions are indicated by underscoring; deletions by ~~strikeouts~~)

RULES OF PROCEDURE FOR THE JUVENILE COURT

Rule 41. Attendance at Hearing

A. Except as otherwise provided pursuant to statute or court rule, court proceedings relating to dependent children, permanent guardianships and termination of parental rights are open to the public. A court proceeding relating to child abuse, abandonment or neglect that has resulted in a fatality or near fatality is open to the public, subject to the requirements of (E) of this rule and A.R.S. § 8-807 ~~(F)(2)~~.01.

(B) – (I) [no change]

Rule 48.1. In-Home Intervention Hearings

(A) – (B) [no change]

C. [no change]

1. [no change]

2. Before ordering in-home intervention, the court must find that all of the following are true:

a. The child has not been removed pursuant to article 29, chapter ~~40~~ 4, title 8 of the Arizona revised statutes.

(b) – (d) [no change]

(3) – (4) [no change]

Rule 49. Prehearing Conference

(A) – (D) [no change]

COMMITTEE COMMENT

~~Nothing in this rule precludes the appointment of a facilitator or mediator who is part of the child welfare mediation program established within the office of the attorney general pursuant to A.R.S. § 8-809.~~